

23963. Fermented grape juice. (F. D. C. No. 40091. S. No. 28-954 M.)

QUANTITY: 15,200 gals. at Chicago, Ill.

SHIPPED: 12-17-56, from Fresno, Calif., by Vie-Del Grape Products Co.

RESULTS OF INVESTIGATION: A quantity of grape juice concentrate in bulk was shipped as described above. Upon receipt in Chicago, 4,000 gals. of the concentrate were reconstituted with water and fermented to make a total of 15,200 gals. of fermented grape juice.

LIBELED: 3-8-57, N. Dist. Ill.

CHARGE: 402 (a) (3)—the concentrate contained insect filth when shipped; and 402 (a) (4)—the concentrate had been prepared under insanitary conditions.

DISPOSITION: 3-29-57. Default—destruction.

23964. Fresh orange juice. (F. D. C. No. 39859. S. No. 50-136 M.)

QUANTITY: 520 ctns. at Bridgeport, Conn.

SHIPPED: 1-3-57, from Glendale, N. Y., by Florida Fresh-Up Daily Juice, Inc.

LABEL IN PART: "Borden's Fresh Orange Juice Contents One Quart Liquid."

LIBELED: 2-1-57, Dist. Conn.

CHARGE: 402 (b) (2)—water had been substituted in part for orange juice when shipped; 402 (b) (4)—water had been added to the article and mixed and packed with it so as to increase its bulk or weight and reduce its quality; and 403 (a)—the label statement "Fresh Orange Juice" was false and misleading.

DISPOSITION: 2-22-57. Consent—destruction.

23965. Fresh orange juice. (F. D. C. No. 39750. S. No. 50-133 M.)

QUANTITY: 26 cases, 12 ctns. each, at New Haven, Conn.

SHIPPED: 11-29-56, from New York, N. Y., by Farm Fresh Cream Wip Corp.

LABEL IN PART: (Ctn.) "Golden Gift 100% Pure Florida Orange Juice Rich in Vitamin C * * * Ready to Serve * * * Produced by Golden Gift, Inc., Deland Florida * * * Contents One Quart Liquid."

LIBELED: 1-11-57, Dist. Conn.

CHARGE: 402 (b) (2)—water had been substituted in part for orange juice when shipped; 402 (b) (4)—water had been added to the article and mixed and packed with it so as to increase its bulk or weight and reduce its quality; and 403 (a)—the label statement "100% Pure Florida Orange Juice" was false and misleading as applied to a product which contained approximately 40 per cent added water.

DISPOSITION: 2-16-57. Default—destruction.

PRESERVES

23966. Strawberry preserves. (F. D. C. No. 39667. S. Nos. 54-195 M, 54-197 M.)

QUANTITY: 3 cases, 6 72-oz. jars each, and 10 cases, 12 24-oz. jars each, at Vancouver, Wash.

SHIPPED: 9-17-56, from Salem, Oreg., by Willamette Valley Preserving Co.

LABEL IN PART: (Jar) "Mary's Homemade Pure Strawberry Preserves."

LIBELED: 11-7-56, W. Dist. Wash.

CHARGE: 403 (g) (1)—when shipped, the article failed to conform to the definition and standard of identity for strawberry preserves, since the soluble solids content of the article was less than 68 percent and the article was deficient in fruit.

DISPOSITION: 1-29-57. Default—destruction.

VEGETABLES AND VEGETABLE PRODUCTS*

23967. Dried pink beans. (F. D. C. No. 39980. S. Nos. 32-565 M, 46-389/91 M, 46-554 M.)

INFORMATION FILED: 5-22-57, N. Dist. Calif., against Woodland Warehouses, a partnership, Woodland, Calif., and Kenneth E. Brown and Philip R. Collins, partners.

SHIPPED: Between 2-27-56 and 3-7-56, from California to Pennsylvania.

LABEL IN PART: (Bag) "Recl. Pink Beans Pkd by S B G Coop K. L. Calif. 36 x 43 100 Lbs. Net Weight When Packed," "California Pink Beans 100 Lbs. Net Weight When Packed Packed by SBG Coop. K. L. Calif.," "US No. 1 Pink Beans Pkd. by SBG Coop, K. L. Calif. 100 Lbs. When Packed," and "Rosita Brand California Pale Pink Beans Grown and Packed by Bean Growers Ass'n of Calif., Sacramento, Calif. Net Weight 100 Lbs. When Packed."

CHARGE: 402 (a) (2)—the article was a raw agricultural commodity and when shipped, contained a pesticide chemical, namely, a fluorine compound which is unsafe within the meaning of 408 since no tolerance or exemption from the requirement of a tolerance for such pesticide chemical on beans as the result of post harvest treatment, has been prescribed by regulations.

PLEA: Nolo contendere.

DISPOSITION: 11-7-57. Each defendant fined \$125.

23968. Dried pink beans and black-eyed peas. (F. D. C. No. 39981. S. Nos. 1-444 M, 14-781 M, 29-195 M.)

INFORMATION FILED: 5-22-57, N. Dist. Calif., against Sutter Basin Growers Cooperative, a corporation, Knights Landing, Calif., and Wallace McWilliam, Manager.

SHIPPED: On 2-20-56 and 3-2-56, from California to Puerto Rico and Texas.

LABEL IN PART: (Bag) "Recl. Pink Beans" and "Net Weight 100 Lbs. When Packed Recl. Blackeyes Grown by a member of Bean Growers Ass'n of Calif. Sacramento, Calif."

CHARGE: 402 (a) (2)—the articles were raw agricultural commodities and contained, when shipped, a pesticide chemical, namely, a fluorine compound, which is unsafe within the meaning of 408 since no tolerance or exemption from the requirement of a tolerance for such pesticide chemical on beans and black-eyed peas as the result of post harvest treatment has been prescribed by regulations.

PLEA: Nolo contendere.

DISPOSITION: 11-7-57. Each defendant fined \$75.

23969. Dried lima beans. (F. D. C. No. 39908. S. No. 33-596 M.)

QUANTITY: 156 100-lb. bags at North Kansas City, Mo.

*See also No. 23977.